



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,909	03/17/2004	Natasa Milic-Frayling	MS306871.1	4612
27195	7590	05/29/2009		
TUROCY & WATSON, LLP 127 Public Square 57th Floor, Key Tower CLEVELAND, OH 44114			EXAMINER RAYYAN, SUSAN F	
			ART UNIT 2167	PAPER NUMBER
			NOTIFICATION DATE 05/29/2009	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket1@thepatentattorneys.com
hholmes@thepatentattorneys.com
lpasterchek@thepatentattorneys.com

Office Action Summary	Application No. 10/802,909	Applicant(s) MILIC-FRAYLING ET AL.	
	Examiner SUSAN FOSTER RAYYAN	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25, 28 and 29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25, 28 and 29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/14/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 14, 2009 has been entered.

2. Claim 27 has been canceled.

3. Claims 1-25, 28-29 are pending.

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on April 14, 2009 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9, 20, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Number 6,363,377 issued to Dina Kravets et al ("Kravets") and US Patent Number 6,134,548 issued to Edward Gottsman et al ("Gottsman") and US Patent Number 6,360,235 issued to Christopher E. Tilt et al ("Tilt").

As per independent claim 1, Kravets teaches a system that facilitates search query results (see Abstract), comprising:

processor (fig.1A,1B, search data processor);

a memory communicatively coupled to the processor (figure 1A,1B), the memory having stored therein computer-executable instructions to implement the system, including:

a client-side receiving component that accepts at least one query result from at least one search service (column 11, line 65, bridging to column 12, line 1 and Figure 1A, Reference Numbers 18, 30, receiving search results); and

a client-side processing component that provides ... query result information derived from the query result accepted by the client-side receiving component (column 4, lines 20-21, display results of the search and column 7, lines 49-65, user votes negatively on a cluster of his informational needs then the system re-clusters the remaining documents).

Kravets does not explicitly teach user-dependent. Gottsman discloses the claimed user-dependent (each active user intention is given a Nickname which is the displayed name the user sees on the screen, column 35, lines 50-57, Figures 12-14). It would have been obvious to a person of ordinary skill in the art at the time of the invention

Art Unit: 2167

was made to modify Kravets with user-dependent to customize the content to show only the content that relates to a particular intention (column 35, lines 37-40).

Kravets in view of Gottsman do not explicitly teach at least one of : an indication of percentage of a total quantity of image content within at least one linked document in the query result as compared to a total quantity of all content within the at least one linked document in the query result, an indication of percentage of a total quantity of text content within the at least one linked document in the query result-as compared to a total quantity of all content within the at least one linked document in the query result.

Tilt does teach at least one of: an indication of percentage of a total quantity of image content within at least one linked document in the query result as compared to a total quantity of all content within the at least one linked document in the query result, an indication of percentage of a total quantity of text content within the at least one linked document in the query result-as compared to a total quantity of all content within the at least one linked document in the query result (column 8, lines 5-20, determines relative percentage of the characters, graphic files, and audio and video content. Web site composed of 75% text, 15% graphics and column 12, lines 19-23, determining relative percentage of specific content types). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kravets and Gottsman with an indication of percentage of a total quantity of image content within at least one linked document in the query result as compared to a total quantity of all content within the at least one linked document in the query result, an indication of percentage of a total quantity of text content within the

at least one linked document in the query result-as compared to a total quantity of all content within the at least one linked document in the query result to objectively determine and report Website content and usability as described by Tilt at column 3, lines 57-59.

As per claim 2, same as claim augments above and Gottsman discloses the claimed user model (each User Persona has the Persona data model and has many number of active User Intentions. Each active User intention is given a nickname which is the display name the user sees on the screen, see column 35, lines 50-57, and Figures 12-24).

As per claim 3, same as claim arguments above and Kravets teaches:
information related to at least one of a user context, a user profile, and a user query result rule (clusters which receive a yes vote are saved along with the query in a search context folder. A user as the ability to find a query and its results by either browsing the search context folders or doing a keyword based search for the among all the context folders, column 7, lines 61-65).

As per claim 4, same as claim arguments above and Kravets teaches:

Art Unit: 2167

client-side processing component provides the user-dependent query result information via at least one visual indicator (column 1, lines 14-16, refining and improving search queries and for organizing the results of a search query by different and overlapping criteria).

As per claim 5, same as claim arguments above and Kravets teaches:

the visual indicator comprising at least one of highlighting, color, intensity of color, geometric shape, and quantity of geometric shapes (column 1, lines 14-16, refining and improving search queries and for organizing the results of a search query by different and overlapping criteria).

As per claim 6, same as claim arguments above and Gottsman teaches:

the client-side processing component provides the user-dependent query result information via at least one aural indicator (column 38, lines 27-41, generate verbal summary for the user).

As per claim 7 is rejected based on the same rationale as claim 1.

As per claim 8, same as claim arguments above and Tilt teaches:

evaluation of at least one link comprising at determination as to whether the link corresponds to at least one of a document with text or a document with links (column 8, lines 5-19, determine content type).

Art Unit: 2167

As per claim 9, same as claim arguments above and Tilt teaches:
further includes an indication of percentage of the quantity of links within the at least one linked document in the query result as compared to a total quantity of all content within the at least one linked document in the query result the content type is at least one of text, graphics, and links (at column 3, lines 115-20 as links, column 8, lines 5-20, determines relative percentage of the characters, graphic files, and audio and video content. Web site composed of 75% text, 15% graphics and column 12, lines 19-23, determining relative percentage of specific content types).).

As per independent claim 20, Kravets teaches a system that facilitates search query results (see Abstract):

A processor and a memory (figure 1a,1b, search data processor);

means for accepting at least one query result from at least one search service(column 11, line 65, bridging to column 12, line 1 and Figure 1A, Reference Numbers 18, 30, receiving search results); and

means for providing ... query result information derived from the query result and the ... client-side receiving component (column 4, lines 20-21, display results of the search and column 7, lines 49-65, user votes negatively on a cluster of his informational needs then the system re-clusters the remaining documents).

Kravets does not explicitly teach user-dependent. Gottsman discloses the claimed user-dependent (each active user intention is given a Nickname which is the displayed name the user sees on the screen, column 35, lines 50-57, Figures 12-14). It would have been obvious to a person of ordinary skill in the art at the time of the

Art Unit: 2167

invention was made to modify Kravets with user-dependent to customize the content to show only the content that relates to a particular intention (column 35, lines 37-40).

Kravets and Gottsman do not explicitly teach query result information includes an indication of percentage of a quantity of a single content type as compared to a total quantity of all content within at least one linked document in the query result . Tilt does teach query result information includes an indication of percentage of a quantity of a single content type as compared to a total quantity of all content within at least one linked document in the query result (column 8, lines 5-20, determines relative percentage of the characters, graphic files, and audio and video content. Web site composed of 75% text, 15% graphics and column 12, lines 19-23, determining relative percentage of specific content types). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kravets and Gottsman with query result information includes an indication of percentage of a quantity of a single content type as compared to a total quantity of all content within at least one linked document in the query result to objectively determine and report Website content and usability as described by Tilt at column 3, lines 57-59. Claims 29 is rejected based on the same rationale as claim 1.

Claims 10-17,21-25,28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Number 6,363,377 issued to Dina Kravets et al (“Kravets”) and US Patent Number 6,134,548 issued to Edward Gottsman et

al (“Gottzman”) and US Patent Number 6,405,192 issued to Michael Wayne Brown (“Brown”).

As per independent claim 10, Kravets teaches a method for facilitating search query results (see Abstract), comprising:

employing a processor executing computer executable instructions embodied on a memory to perform the following acts (fig. 1a,1b, search data processor);

receiving at least one query result document from at least one search service(column 11, line 65, bridging to column 12, line 1 and Figure 1A, Reference Numbers 18, 30, receiving search results); and

providing ... query result information derived from the query result document and the user-dependent query result information determined via client-side processing. (column 4, lines 20-21, display results of the search and column 7, lines 49-65, user votes negatively on a cluster of his informational needs then the system re-clusters the remaining documents).

Kravets does not explicitly teach user-dependent. Gottzman discloses the claimed user-dependent (each active user intention is given a Nickname which is the displayed name the user sees on the screen, column 35, lines 50-57, Figures 12-14). It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Kravets with user-dependent to customize the content to show only the content that relates to a particular intention (column 35, lines 37-40).

Art Unit: 2167

Kravets in view of Gottsman do not explicitly teach the user-dependent query result information including a list of names of at least one of people or companies extracted from at least one search result document, each name includes one or more links to documents related to a person or a company associated with the name. Brown teaches this at figure 9 and column 9, line 60-col.10, lines 10, as figure 9 depicts search results including the link entitled Gary Paolli, Next to the link is a thumbnail with a border which indicates the whether the link contains user desirable criteria. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kravets in view of Gottsman to enable them to make more informed decisions about with link to follow as described by Brown at column 2, lines 10-12.

As per claim 11, same as claim arguments above and Gottsman discloses the claimed user model (each User Persona has the Persona data model and has many number of active User Intentions. Each active User intention is given a nickname which is the display name the user sees on the screen, see column 35, lines 50-57, and Figures 12-24).

As per claim12 same as claim arguments above and Kravets teaches:

the user model comprising a model that utilizes, at least in part, information related to at least one of a user context, a user profile, and a user query result rule(clusters which receive a yes vote are saved along with the query in a search context folder. A user as the ability to find a query and its results by either browsing the search context

Art Unit: 2167

folders or doing a keyword based search for the among all the context folders, column 7, lines 61-65).

As per claim 13 same as claim arguments above and Kravets teaches:

relaying the user-dependent query result information via at least one search result page indicator (column 1, lines 14-16, refining and improving search queries and for organizing the results of a search query by different and overlapping criteria).

As per claim 14 same as claim arguments above and Brown teaches:

displaying, automatically, at least one thumbnail relating to a search query result page in response to a selection of a corresponding search query result link by at least one user and navigating to a portion of the search query result page and turning ON at least one search result page indicator in response to an interaction with the thumbnail by the user (column 2, lines 31-34).

As per claim 15 same as claim arguments above and Gottsman teaches:

the search result page indicator comprising ... an aural indicator (column 38, lines 27-41, generate verbal summary for the user).

As per claim 16 same as claim arguments above and Kravets teaches;

the visual indicator comprising at least one of symbols, highlighting, color, intensity of color, geometric shape, and quantity of geometric shapes(column 1, lines 14-16,

Art Unit: 2167

refining and improving search queries and for organizing the results of a search query by different and overlapping criteria).

As per claim 17 same as claim arguments above and Brown teaches:

deriving at least part of the user-dependent query result information via evaluating content of the at least one query result document (column 6, lines 24-40 as parse document links and display change information web page appearance in a user customizable way).

As per independent claim 21, Kravets teaches a user interface, comprising:

A processor and a memory (figure 1a,1b, search data processor);

an interface adapted to communicate enhanced search query results to a user(column 11, line 65, bridging to column 12, line 1 and Figure 1A, Reference Numbers 18, 30, receiving search results);

at least one input associated with the interface to provide information related to at least one search query result document (column 4, lines 20-21, display results of the search and column 7, lines 49-65, user votes negatively on a cluster of his informational needs then the system re-clusters the remaining documents).

Kravets does not explicitly teach user-dependent. Gottsman discloses the claimed user-dependent (each active user intention is given a Nickname which is the displayed name the user sees on the screen, column 35, lines 50-57, Figures 12-14). It would have been obvious to a person of ordinary skill in the art at the time of the invention

Art Unit: 2167

was made to modify Kravets with user-dependent to customize the content to show only the content that relates to a particular intention (column 35, lines 37-40).

Kravets in view of Gottsman do not explicitly teach at least one output ... to indicate ... search query result information and the output utilizing, at least in part, a thumbnail view of the at least one search query result document, thumbnail view ... includes highlighting of the relevant content in the at least one query result, the relevance based upon a current context of the user, the current context is inferred based upon automated monitoring of actions relating to a task that a user is currently performing. Brown teaches this (displaying to the user and column 9, lines 67, thumbnail , figure 9 and column 9, line 60-col.10, lines 10, as figure 9 depicts search results including the link entitled Gary Paolli, Next to the link is a thumbnail with a border which indicates the whether the link contains user desirable criteria. In addition column 10, lines 30-45, highlight thumbnail image of links that exceed a user threshold) to make informed decisions about which links to follow. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Kravets in view of Gottsman with at least one output ... to indicate ... search query result information and the output utilizing, at least in part, a thumbnail view to convey the information, thumbnail view includes highlighting of the relevant content in the at least one query result, the relevance based upon a current context of the user , the current context is inferred based upon automated monitoring of actions relating to a task that a user is currently performing to convey the information to make informed decisions about which links to follow as described by Brown (column 2, lines 10-12).

As per claim 22, same as claim arguments above and Gottsman discloses the claimed user model (each User Persona has the Persona data model and has many number of active User Intentions. Each active User intention is given a nickname which is the display name the user sees on the screen, see column 35, lines 50-57, and Figures 12-24).

As per claim 23 same as claim arguments above and Kravets teaches:
the input comprising at least one selection of at least one search query result (column 7, lines 49-50, vote selection is a selection of a query result).

As per claim 24 same as claim arguments above and Brown teaches:
the output comprising an interactive output that responds to a user selection within the thumbnail view (column 9, line 1- column 10, line 11)

As per claim 25, same as claim arguments above and Brown teaches:
the output comprising at least one indicator of whether a search query result link is at least one of a text-content link and a link-content link (column 6, lines 25-30).

Claims 28 is rejected based on the same rationale as claim 10.

Art Unit: 2167

Claim 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Number 6,363,377 issued to Dina Kravets et al (“Kravets”) and US Patent Number 6,134,548 issued to Edward Gottsman et al (“Gottsman”) and US Patent Number 6,405,192 issued to Michael Wayne Brown (“Brown”) and US Patent Number 6,360,235 issued to Christopher E. Tilt et al (“Tilt”).

As per claim 18 same as claim arguments above and Tilt teaches:
determining whether the link corresponds to at least a document with text or a document with links ... percentage ... (column 8, lines 5-20, determines relative percentage of the characters, graphic files, and audio and video content. Web site composed of 75% text, 15% graphics and column 12, lines 19-23, determining relative percentage of specific content types).

As per claim 19 same as claim arguments above and Brown teaches:

providing an indicator for a link to the query result document that indicates at least one consisting of a text-content link indicating document with text and a link-content link indicating document with link (column 6, lines 25-30).

Response to Arguments

6. Applicant's arguments with respect to claims 1-25, 27-29 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2167

7. Applicant argues prior art of record does not teach the thumbnail view includes highlighting of relevant content in the at least one search query result document , the relevance based on the current context of the user. Brown teaches this (displaying to the user and column 9, lines 67, thumbnail , figure 9 and column 9, line 60-col.10, lines 10, as figure 9 depicts search results including the link entitled Gary Paolli, Next to the link is a thumbnail with a border which indicates the whether the link contains user desirable criteria. In addition column 10, lines 30-45, highlight thumbnail image of links that exceed a user threshold) and col. 10, lines 25-45 and figure 11 thumbnail image and user criteria found in each page “Shania Twain”).

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Rayyan whose telephone number is (571) 272-1675. The examiner can normally be reached M-F: 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 2167

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/SUSAN FOSTER RAYYAN/

Examiner, Art Unit 2167

May 24, 2009

/Luke S. Wassum/
Primary Examiner
Art Unit 2167